

Title	Civil <i>Summons</i> Forms: Miscellaneous Revisions and One New Form (revise and renumber forms 982(a)(9), 982(a)(10), 982(a)(11) to SUM-100, SUM-120, and SUM-130; adopt new form SUM-140)
Summary	Revised <i>Summons</i> forms would conform to a recent rule change, make the forms consistent, eliminate misleading information, and provide information to the person served on where to seek assistance in responding to the lawsuit. One new summons form would provide a blank space for inserting the appropriate response time as might be required by statute. The <i>Proof of Service—Summons</i> on the reverse of each form would be amended to include a short caption box and an instruction that this form or the proposed new POS-010 form may be used.
Source	Civil and Small Claims Advisory Committee
Staff	Cara Vonk, (415) 865-7669, cara.vonk@jud.ca.gov
Discussion	<p>Three civil <i>Summons</i> forms would be renumbered and provide the same information including the following:</p> <ol style="list-style-type: none"> 1. Replace the reference to “legal aid office” by directing the person served to the California Self Help website to locate legal service from a nonprofit legal aid program or other attorney referral services, 2. Advise that a court form may be available to prepare the response and that court forms can be found at the California Self Help website, county law library, or at the courthouse, 3. Advise that a fee waiver may be available, and 4. Substitute “written” for “typewritten” consistent with new rule 201.4 of the California Rules of Court, effective January 1, 2003, (previously rule 201(c)). <p>The <i>Summons—Unlawful Detainer</i> form would also provide information for calculating the five-day response time and a new <i>Summons</i> form would provide a blank space for inserting the response time.</p> <p>Issues addressed by the proposed revised forms are discussed below.</p> <p>a. <i>Legal aid office</i></p> <p>A suggestion in the boxed admonition on the current summons form that the person served may call “a legal aid office (listed in the phone book)” needs to be amended so that members of the public will not be directed to for-profit businesses that advertise themselves in the telephone book as a “legal aid office.” The Administrative Office of the Courts has received several requests from bona fide legal aid providers and from the San Diego City Attorney’s office to amend this</p>

provision on the form. The proposed revised language would state: “If you cannot afford an attorney, you may be eligible for free legal services from a non-profit legal aid program. You can locate these non-profit groups at the California Self Help website (www.courtinfo.ca.gov) or by contacting your local court or county bar association.” Bona fide local legal aid providers are in the process of creating a web site and if the site is ready by the forms publication date, the forms would be amended to include this website address. See the top box on the first page of each form on pages 6, 8, 10, and 12 below.

b. Judicial Council form for response or answer

A member of the public against whom a default judgment had been entered wrote to the Judicial Council, suggesting that the *Summons* form should advise the person served that a Judicial Council form may be available for filing a response to the complaint. The committee agreed that this information would be useful to unrepresented persons and proposes adding the following text to the *Summons* form: “There may be a court form that you can use for your response. You can find these court forms and more information at the California Self Help website (www.courtinfo.ca.gov), your county law library, or at the courthouse nearest you.” See the top box on the first page of each form on pages 6, 8, 10, and 12 below.

c. Fee waiver

The family law summons form includes information on requesting a fee waiver. The committee determined that this information would be useful for qualified individuals and proposes adding the following text: “If you cannot pay the filing fee, ask the court clerk for a fee waiver form.” See the top box on the first page of each form on pages 6, 8, 10, and 12 below.

d. Written response

Statements on the forms advising of “your typewritten response” to the Summons would be revised to read “your written response” to conform to new rule 201.4 adopted effective January 1, 2003, (previously rule 201(c)), that provides:

The clerk must not reject for filing or refuse to file any Judicial Council or local court form solely on the ground that it is completed in handwritten or handprinted characters or that the handwriting or handprinting is in a

color other than blue-black or black.

See the top box on the first page of each form on pages 6, 8, 10, and 12 below.

e. Unlawful Detainer 5-day response

The instruction on the *Summons—Unlawful Detainer* (current form 982(a)(11); proposed form SUM-130) explains how to calculate the five days for filing a written response as follows: “(To calculate the five days, count Saturday and Sunday, but do not count other court holidays.).” To further assist the party served, the proposal would add the following statement, “If the last day falls on a Saturday or Sunday, then you have the next court day to file a written response.)” (See Code of Civ. Proc., §1167.) See the top box on page 10 below.

f. Conform Summons forms

The three civil summons forms of *Summons* (form 982(a)(9)), *Summons (Joint Debtor)* (form 982(a)(10)), and *Summons—Unlawful Detainer* (form 982(a)(11)) each contain information and instructions on steps that may be taken by the person served that are not consistent with the other forms. The three summons forms would be revised to provide the same information on each of the forms including (a) the time to file a written response with the court; (b) the written response must be in proper legal form, a court form may be available for the response, and identifying locations for obtaining forms and other information; (c) information on obtaining a fee waiver if qualified; (d) legal effect if a response is not filed on time; and (e) noting that a defendant may call an attorney, and noting the existence of attorney referral services including a non-profit legal aid program. See the top box on the first page of each form on pages 6, 8, 10, and 12 below.

g. New Summons form

Proposed new Summons form SUM-140 resurrects the old Judicial Council all-purpose *Summons* form with a blank space for inserting the number of days for filing a response to the Summons and Complaint. There are provisions in the code that may specify a response time different from the 30-day response time in a general civil case or the 5-day response time in an unlawful detainer case. For example, enforcement of an owner’s lien in storage cases under Business and Professions Code section 21710 provides, “the occupant shall have 10 days in which to respond to the complaint after service of summons is completed, which time may be extended by good cause shown.” Currently, the practice in some courts is to cross out the “30”

days and write in “10” days on the current Judicial Council *Summons* (form 982(a)(9)). The new *Summons* is proposed with a blank space for inserting the number of days for the response. The new form mirrors the proposed revised general civil summons form in all other respects. See the top box on the first page of proposed new form SUM-140 on page 12 below.

h. Proof of Service on reverse of Summons forms

The committee is developing an improved proposed two-page *Proof of Service (Summons)* (form 982(a)(23) to be renumbered POS-010) with sufficient space for describing the parties and documents served.

Optional checkboxes have been added for papers frequently served such as the summons and ☐ complaint, ☐ cross complaint, ☐ other, etc. The committee noted that the Proof of Service on the reverse of the current summons forms can be confusing, because a separate proof of service must be filed for each defendant served, requiring additional copies of the Proof of Service to be made if there is more than one defendant. The separate revised Proof of Service form could be used for serving additional defendants and could also be used if a summons is lost after service has been made but before it is returned under the provisions of Code of Civil Procedure section 417.30. Therefore the committee recommends keeping the Proof of Service on the reverse of the Summons forms for convenience. The committee proposes adding a box at the top of the page with the Proof of Service for identifying the short title and case number should additional copies be made and filed later, and adding an instruction, “You may use this form or form POS-010.” See the top of the second page of each form on pages 7, 9, 11, and 13 below.

i. Renumber Summons forms

The committee recommends that the summons forms be renumbered “SUM” to conform to recent council practice of lettering forms with an abbreviation of the subject matter of the forms for the convenience of forms users.

j. Spanish translation

After the English text in the instruction box on each form has been settled, the text will be translated into Spanish.

The proposed forms follow.

Attachments

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: (Aviso a Acusado)

DRAFT 6
3/20/03

YOU ARE BEING SUED BY PLAINTIFF:
(A Ud. le está demandando)

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Self Help website (www.courtinfo.ca.gov), your county law library, or at the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a non-profit legal aid program. You can locate these non-profit groups at the California Self Help website (www.courtinfo.ca.gov) or by contacting your local court or county bar association.

Después de que le entreguen esta citación judicial usted tiene un plazo de 30 DIAS CALENDARIOS para presentar una respuesta escrita a máquina en esta corte.

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.

Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.

Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

To be translated

CASE NUMBER: (Número del Caso)

The name and address of the court is: (El nombre y dirección de la corte es)

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)

DATE:
(Fecha)

Clerk, by _____, Deputy
(Actuario) (Delegado)

NOTICE TO THE PERSON SERVED: You are served

[SEAL]

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)
☐ CCP 416.20 (defunct corporation)
☐ CCP 416.40 (association or partnership)
☐ other:

☐ CCP 416.60 (minor)
☐ CCP 416.70 (conservatee)
☐ CCP 416.90 (individual)

4. ☐ by personal delivery on (date):

Page 1 of 2

DEFENDANT (Name):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): </div> <div style="width: 45%;"> FAX NO. (Optional): </div> </div>	FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE) <div style="font-size: 24pt; font-weight: bold;">DRAFT 6</div> <div style="font-size: 24pt; font-weight: bold;">3/20/03</div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	CASE NUMBER:
PLAINTIFF: DEFENDANT:	
SUMMONS (JOINT DEBTOR)	
<div style="display: flex;"> <div style="width: 50%; vertical-align: top;"> <p>NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.</p> <p>You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.</p> <p>A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Self Help website (www.courtinfo.ca.gov), your county law library, or at the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form.</p> <p>There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a non-profit legal aid program. You can locate these non-profit groups at the California Self Help website (www.courtinfo.ca.gov) or by contacting your local court or county bar association.</p> </div> <div style="width: 50%; vertical-align: top;"> <p>¡AVISO! Usted ha sido demandado. El tribunal puede decidir contra Ud. sin audiencia a menos que Ud. responda dentro de 30 días. Lea la información que sigue.</p> <p>Si Usted desea solicitar el consejo de un abogado en este asunto, debería hacerlo inmediatamente, de esta manera, su respuesta escrita, si hay alguna, puede ser registrada a tiempo.</p> <p style="font-style: italic; font-size: 1.2em;">To be translated</p> </div> </div>	

1. TO THE DEFENDANT (name):

You are hereby directed to file in this court, within **30** days after this summons is served on you, a written response to the Declaration or Affidavit accompanying this summons, giving any legal reason why you should not be required to pay the unpaid amount of: \$ _____ on the judgment rendered by this court on (date): _____ against (name each): _____

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

Date:

Clerk, By _____ Deputy

(SEAL)

2. NOTICE TO THE PERSON SERVED: You are served

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify): _____
- c. ☐ on behalf of (specify): _____

- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
- ☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
- ☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)
- ☐ Other: _____

- d. ☐ by personal delivery on (date): _____

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

PROOF OF SERVICE

(Use separate proof of service for each person served. You may use this form or form POS-010.)

1. I served the
 - a. summons and declaration or affidavit
 - b. on defendant (name):
 - c. by serving (1) ☐ defendant (2) ☐ other (Name and title or relationship to person served):
 - d. ☐ by delivery ☐ at home ☐ at business (1) date: (2) time: (3) address:
 - e. ☐ By mailing (1) date: (2) place:
2. Manner of service: (check proper box)
 - a. ☐ **Personal service.** By personally delivering copies. (CCP 415.10)
 - b. ☐ **Substituted service on corporation, unincorporated association (including partnership), or public entity.** By leaving, during usual office hours, copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(a))
 - c. ☐ **Substituted service on natural person, minor, conservatee, or candidate.** By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(b))
(Attach separate declaration or affidavit stating acts relied on to establish reasonable diligence in first attempting personal service.)
 - d. ☐ **Mail and acknowledgment service.** By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, together with two copies of the form of notice and acknowledgment and a return envelope, postage prepaid, addressed to the sender. (CCP 415.30) **(Attach completed acknowledgment of receipt.)**
 - e. ☐ **Certified or registered mail service.** By mailing to address outside California (by registered or certified airmail with return receipt requested) copies to the person served. (CCP 415.40) **(Attach signed return receipt or other evidence of actual delivery to the person served.)**
 - f. ☐ Other (specify code section):
☐ Additional page is attached.
3. The "Notice to the Person Served" (on the summons) was completed as follows (CCP 412.30, 415.10, and 474):
 - a. ☐ as an individual defendant.
 - b. ☐ as the person sued under the fictitious name of (specify):
 - c. ☐ on behalf of:
 Under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor) ☐ other:
 ☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
 ☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)
 - d. By personal delivery on (date):
4. At the time of service I was at least 18 years of age and not a party to this action.
5. Fee for service: \$
6. Person serving:
 - a. ☐ California sheriff or marshal.
 - b. ☐ Registered California process server.
 - c. ☐ Employee or independent contractor of a registered California process server.
 - d. ☐ Not a registered California process server.
 - e. ☐ Exempt from registration under Bus. & Prof. Code 22350(b).

f. Name, address and telephone number and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(For California sheriff or marshal use only)

I certify that the foregoing is true and correct.

Date:

Date:

(SIGNATURE)

(SIGNATURE)

SUMMONS—UNLAWFUL DETAINER—EVICTION
(CITATION JUDICIAL PROCESO DE DESAHUCIO—EVICCIÓN)

NOTICE TO DEFENDANT: (Aviso a Acusado)

FOR COURT USE ONLY
 (SOLO PARA USO DE LA CORTE)

DRAFT 4
2/19/03

YOU ARE BEING SUED BY PLAINTIFF:
 (A Ud. le está demandando)

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday or Sunday, then you have the next court day to file a written response.)

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Self Help website (www.courtinfo.ca.gov), your county law library, or at the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a non-profit legal aid program. You can locate these non-profit groups at the California Self Help website (www.courtinfo.ca.gov) or by contacting your local court or county bar association.

Después de que le entreguen esta citación judicial usted tiene un plazo de 5 DIAS para presentar una respuesta escrita a máquina en esta corte. (Para calcular los cinco días, cuente el sábado y el domingo, pero no cuente ningún otro día feriado observado por la corte.)

Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.

Si usted no presenta su respuesta a tiempo, puede perder el caso, le pueden obligar a desalojar su casa, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.

Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).

To be translated

CASE NUMBER: (Número del caso)

The name and address of the court is: (El nombre y dirección de la corte es)

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
 (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es:)

(Must be answered in all cases) An unlawful detainer assistant (B&P 6400-6415) ☐ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, state):

a. Assistant's name:

b. Telephone No.:

c. Street address, city, and ZIP:

d. County of registration:

e. Registration No.:

f. Expires on (date):

Date:
 (Fecha)

Clerk, by _____, Deputy
 (Actuario) (Delegado)

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):
 under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
 ☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
 ☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)
 ☐ other:
4. ☐ by personal delivery on (date):

Page 1 of 2

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

PROOF OF SERVICE

(Use separate proof of service for each person served. You may use this form or form POS-010.)

1. At the time of service I was at least 18 years of age and not a party to this action, and I served copies of the (specify documents):
 - a. ☐ summons ☐ complaint ☐ other (specify):
2. a. Party served (specify name of party as shown on the documents served):

b. Person served: ☐ party in item 2a ☐ other (specify name and title or relationship to the party named in item 2a):

c. Address:
3. I served the party named in item 2
 - a. ☐ by personally delivering the copies (1) on (date): (2) at (time):
 - b. ☐ by leaving the copies with or in the presence of (name and title or relationship to person indicated in item 2b):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the person served. I informed him or her of the general nature of the papers.
 - (3) on (date): (4) at (time):
 - (5) ☐ A declaration of diligence is attached. (Substituted service on natural person, minor, conservatee, or candidate.)
 - c. ☐ by mailing the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid, (2) from (city):
 - (1) on (date):
 - (3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me.
 - (4) ☐ to an address outside California with return receipt requested. ← (Attach completed form.) ↗
 - d. ☐ by causing copies to be mailed. A declaration of mailing is attached.
 - e. ☐ other (specify other manner of service and authorizing code section):
4. The "Notice to the Person Served" (on the summons) was completed as follows:
 - a. ☐ as an individual defendant.
 - b. ☐ as the person sued under the fictitious name of (specify):
 - c. ☐ on behalf of (specify):

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor) <input type="checkbox"/> other:
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (individual)
5. Person serving (name, address, and telephone number):
 - a. Fee for service: \$
 - b. ☐ Not a registered California process server
 - c. ☐ Exempt from registration under B&P § 22350(b)
 - d. ☐ Registered California process server
 - (1) ☐ Employee or independent contractor
 - (2) Registration No.:
 - (3) County:
 - (4) Expiration (date):
6. ☐ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
7. ☐ I am a California sheriff or marshal, and I certify that the foregoing is true and correct.

Date:

(SIGNATURE)

SUMMONS (CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: (Aviso a Acusado)

DRAFT 5
3/20/03

YOU ARE BEING SUED BY PLAINTIFF:
(A Ud. le está demandando)

You have (specify): **CALENDAR DAYS** after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff.

A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Self Help website (www.courtinfo.ca.gov), your county law library, or at the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form.

If you do not file your response on time, you may lose the case, and your wages, money and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a non-profit legal aid program. You can locate these non-profit groups at the California Self Help website (www.courtinfo.ca.gov) or by contacting your local court or county bar association.

~~Después de que le entreguen esta citación judicial usted tiene un plazo de **DIAS CALENDARIOS** para presentar una respuesta escrita a máquina en esta corte.~~

~~Una carta o una llamada telefónica no le ofrecerá protección; su respuesta escrita a máquina tiene que cumplir con las formalidades legales apropiadas si usted quiere que la corte escuche su caso.~~

~~Si usted no presenta su respuesta a tiempo, puede perder el caso, y le pueden quitar su salario, su dinero y otras cosas de su propiedad sin aviso adicional por parte de la corte.~~

~~Existen otros requisitos legales. Puede que usted quiera llamar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de referencia de abogados o a una oficina de ayuda legal (vea el directorio telefónico).~~

To be translated

The name and address of the court is: (El nombre y dirección de la corte es)

CASE NUMBER: (Número del Caso)

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es)

DATE:
(Fecha)

Clerk, by _____, Deputy
(Actuario) (Delegado)

[SEAL]

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)
☐ CCP 416.20 (defunct corporation)
☐ CCP 416.40 (association or partnership)
☐ other:

☐ CCP 416.60 (minor)
☐ CCP 416.70 (conservatee)
☐ CCP 416.90 (individual)

4. ☐ by personal delivery on (date):

PLAINTIFF (Name): _____	CASE NUMBER: _____
DEFENDANT (Name): _____	

PROOF OF SERVICE — SUMMONS

(Use separate proof of service for each person served. You may use this form or form POS-010.)

1. I served the summons and:

- a. ☐ complaint ☐ cross-complaint ☐ Other (specify): _____
- b. on defendant (name): _____
- c. by serving ☐ defendant ☐ other (name and title or relationship to person served): _____
- d. ☐ by delivery ☐ at home ☐ at business
 (1) date: _____ (2) time: _____ (3) address: _____
- e. ☐ by mailing
 (1) date: _____ (2) place: _____

2. Manner of service (check proper box):

- a. ☐ **Personal service.** By personally delivering copies. (CCP 415.10)
- b. ☐ **Substituted service on corporation, unincorporated association (including partnership), or public entity.** By leaving, during usual office hours copies in the office of the person served with the person who apparently was in charge and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(a))
- c. ☐ **Substituted service on natural person, minor, conservatee, or candidate.** By leaving copies at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household or a person apparently in charge of the office or place of business, at least 18 years of age, who was informed of the general nature of the papers, and thereafter mailing (by first-class mail, postage prepaid) copies to the person served at the place where the copies were left. (CCP 415.20(b)) **(Attach separate declaration or affidavit stating acts relied on to establish reasonable diligence in first attempting personal service.)**
- d. ☐ **Mail and acknowledgment service.** By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, together with two copies of the form of notice and acknowledgment and a return envelope, postage prepaid, addressed to the sender. (CCP 415.30) **(Attach completed acknowledgment of receipt.)**
- e. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail postage prepaid, requiring a return receipt) copies to the person served. (CCP 415.40) **(Attach signed return receipt or other evidence of actual delivery to the person served.)**
- f. ☐ Other (specify code section): _____
 ☐ additional page is attached.

3. The "Notice to the Person Served" (on the summons) was completed as follows (CCP 412.30, 415.10, and 474):

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify): _____
- c. ☐ on behalf of (specify): _____
 under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor) ☐ other: _____
 ☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
 ☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)

d. ☐ by personal delivery on (date): _____

4. At the time of service I was at least 18 years of age and not a party to this action.

5. Fee for service: \$ _____

6. Person serving:

- a. ☐ California sheriff or marshal.
- b. ☐ Registered California process server.
- c. ☐ Employee or independent contractor of a registered California process server.
- d. ☐ Not a registered California process server.
- e. ☐ Exempt from registration under Bus. & Prof. Code 22350(b).

f. Name, address and telephone number and, if applicable, county of registration and number: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(For California sheriff or marshal use only)

I certify that the foregoing is true and correct.

Date: _____

 (SIGNATURE)

 (SIGNATURE)